

BANKING ASSOCIATION v. INSURANCE ASSOCIATION.

1. An appeal will be dismissed when it appears from the record, taken as a whole, that the amount actually in controversy is not sufficient to give the court jurisdiction.
2. *Gray v. Blanchard* (97 U. S. 564) reaffirmed.

APPEAL from the Circuit Court of the United States for the District of Louisiana.

The facts are stated in the opinion of the court.

Mr. J. D. Rouse and *Mr. William Grant* for the appellant.

Mr. Charles B. Singleton, Jr., *contra*.

MR. CHIEF JUSTICE WAITE delivered the opinion of the court.

From this record it appears affirmatively that the only dispute between the parties is as to the right of the insurance association to withhold a transfer of stock until an indebtedness of a stockholder to it for \$2,074.36 is paid. Such being the case, we have no jurisdiction of this appeal. In *Gray v. Blanchard* (97 U. S. 564) we held that a writ of error must be dismissed when it appears from the record, taken as a whole, that the amount actually in controversy between the parties was not sufficient to give us jurisdiction.

Appeal dismissed.

 HAYES v. FISCHER.

1. An appeal is the only mode by which the appellate jurisdiction of this court can be exercised in equity suits, brought in the courts of the United States, and it does not lie before a final decree has been rendered.
2. A proceeding in the court below for contempt cannot be re-examined here by an appeal or a writ of error.

MOTION to dismiss a writ of error to the Circuit Court of the United States for the Southern District of New York.

The facts are stated in the opinion of the court.